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## PATENT

ATTORNEY'S DOCKET NO.: MAC-7000P1

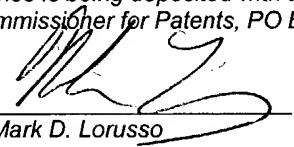
## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: George Clark et al.  
Serial No.: 10/004,149  
Filed: October 31, 2001  
For: CARBONATED FORTIFIED MILK-BASED BEVERAGE  
AND METHOD FOR SUPPRESSING BACTERIAL  
FORMATION IN THE BEVERAGE  
Examiner: Keith D. Hendricks  
Art Unit: 1761

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TC 1761

CERTIFICATE OF MAILING

I hereby certify that the following correspondence is being deposited with the United States Postal service as first class mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA. 22313-1450 on June 3, 2004.

  
Mark D. Lorusso

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

## AMENDMENT AND RESPONSE

Sir:

This is in response to the office action mailed December 4, 2003. Entry and consideration are respectfully requested. Please amend the application as follows:

In the specification:

Replace the paragraph beginning at line 5 on page 1 with the following paragraph:

This is a continuation-in-part of pending U.S. Serial No. 09/473,252, filed December 27, 1999, now U.S. Patent No. 6,403,129, issued June 11, 2002, the contents of which are incorporated herein by reference.